

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

LISA A. WEILER Administratrix of the Estate)
of Scott A. Knabe, deceased, and on behalf of)
all statutory beneficiaries,)

Plaintiff,

VS.

RAYTHEON COMPANY et al.,

Defendants.

Case No.: 05 CV 10364 PBS

**PLAINTIFF’S RESPONSE TO COLGAN AIR, INC.’S MOTION TO DISMISS AND
REQUESTING LEAVE TO DISMISS COUNT V OF THE AMENDED COMPLAINT**

Plaintiff Lisa Weiler, through counsel, and responds to Defendant Colgan Air Inc.'s Motion to Dismiss Count V of the Amended Complaint in this action.

Count V is the only count in this complaint against defendant Colgan Air Inc. The Plaintiff, Lisa A. Weiler, agrees that Count V should be dismissed for the reason that Count V was based on Massachusetts General Laws Chapter 152 § 28, and which law and section are not applicable to this action.

WHEREFORE, plaintiff agrees Count V should be dismissed and requests this court's order dismissing Count V of her complaint.

Respectfully submitted,

By: /s/ Robert McConnell

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